

GAHC010206542024



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : Review.Pet./179/2024

THE GENERAL MANAGER (LA AND COORD)
NATIONAL HIGHWAYS INFRASTRUCTURE DEVELOPMENT CORPORATION
LTD., REGIONAL OFFICE- GUWAHATI, ASSAM. PIN- 781 001.

VERSUS

THE STATE OF ASSAM AND 11 ORS
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE GOVT.
OF ASSAM, GENERAL ADMINISTRATION DEPARTMENT, DISPUR,
GUWAHATI- 781 006

2:THE STATE OF ASSAM
REPRESENTED BY THE ADDITIONAL CHIEF SECRETARY TO THE GOVT.
OF ASSAM
REVENUE AND DISASTER MANAGEMENT DEPARTMENT
ASSAM SECRETARIAT
DISPUR
GUWAHATI- 781 006

3:THE KARBI ANGLONG AUTONOMOUS COUNCIL
REPRESENTED BY THE ITS PRINCIPAL SECRETARY

DIPHU
KARBI ANGLONG
ASSAM

PIN- 782460.

4:THE PRINCIPAL SECRETARY
KARBI ANGLONG AUTONOMOUS COUNCIL
DIPHU
KARBI ANGLONG

ASSAM
PIN- 782 460.

5:THE JOINT SECRETARY CUM COMPETENT AUTHORITY FOR LAND
ACQUISITION
KARBI ANGLONG AUTONOMOUS COUNCIL
ASSAM
PIN- 782 46

6:THE DEPUTY COMMISSIONER
KARBI ANGLONG AUTONOMOUS COUNCIL
ASSAM
PIN- 782 460.

7:THE ASSISTANT SETTLEMENT OFFICER
PHULONI REVENUE CIRCLE
KARBI ANGLONG AUTONOMOUS COUNCIL
ASSAM
PIN- 782460

8:THE ASSISTANT REVENUE OFFICER
PHULONI REVENUE CIRCLE
KARBI ANGLONG AUTONOMOUS COUNCIL

ASSAM
PIN- 782460.

9:NATIONAL HIGH WAY AUTHORITY OF INDIA
REPRESENTED BY ITS CHAIRMAN G5 AND 6
SECTOR 10
DWARKA
NEW DELHI-110 075

10:SMT. BORNALI UZIR
WO SHRI MONIMANTA SAIKIA
D.O SMT. BULU BORA UZIR
R.O VILLAGE HOWRAGHAT TINIALI
MOUZA LANGPHER
P.O. KACHUPUKHURI
P.S. HOWRAGHAT
DISTRICT KARBI ANGLONG
ASSAM
PIN-782482

11:SMT. KAKULI UZIR
WO SHRI MANJIT KUMAR BORA
D.O SMT. BULU BORA UZIR
R.O VILLAGE HOWRAGHAT TINIALI

MOUZA LANGPHER
P.O. KACHUPUKHURI
P.S. HOWRAGHAT
ASSAM
PIN-782482. PRESENTLY RESIDING AT HOUSE NO. 1
HOUSEFED VILLAGE
BYE LANE 22
JURIPAR PATH
6 MILE
GUWAHATI
PIN - 781022

12:SMT. JUNALI UZIR
W.O SHRI JITU DAS
D.O SMT. BULU BORA UZIR
R.O VILLAGE HOWRAGHAT TINIALI
MOUZA LANGPHER
P.O. KACHUPUKHURI
P.S. HOWRAGHAT
DISTRICT KARBI ANGLONG
ASSA

Advocate for the Petitioner : MR D GOGOI,

Advocate for the Respondent : SC, GAD, GA, ASSAM,SC, REVENUE,SC, K A A C,SC, NHAI,MR.
A J SARMA (R-10,11,12)

BEFORE
HONOURABLE MR. JUSTICE SUMAN SHYAM

ORDER

01.10.2024

Heard Mr. D. Gogoi, learned counsel for the review petitioner. Also heard Mr. A. Phukan, learned SC, GAD for the respondent No.1, Mr. S. Dutta, learned SC, Revenue Department, Assam for the respondent No.2, Mr. J. Chutia, SC, KAAC for the respondent Nos.3, 4, 5, 7 and 8, Mr. C. S. Hazarika, learned GA, Assam for the respondent No.6 and Mr. G. Alam, learned counsel for the respondent Nos.10 and 11. None has appeared for the respondent No.9 in this case.

This Review Petition has been filed with a prayer to review the order dated

16.10.2023 passed by this Court in WP(C) No.5708/2023 whereby this Court had mentioned the name of "Valuation Officer (IT)" whereas the correct expression, according to the petitioner, ought to be "Valuation Officer of CPWD". Mr. Gogoi submits that it is also the mandate of the order dated 28.09.2023 passed by the Division Bench of this Court in Writ Appeal No.375/2023 that the valuation is to be carried out by the Valuation Officer of CPWD. Contending that the operation of the interim order and pendency of the valuation report has caused enormous delay in completion of the project, Mr. Gogoi has sought review of the order of this Court with a further direction to carry out the valuation in a time bound manner.

It appears that the Valuation Officer (IT) has already expressed inability to carry out the valuation in the matter.

The learned counsel for the respondents have agreed in tandem that the expression "Valuation Officer (IT)" should be replaced by the "Valuation Officer of CPWD" who should be entrusted with the task of carrying out the valuation of the property.

If that be so, it is evident that there is an error apparent on the face of the order dated 16.10.2023 passed by this Court which calls for correction. As such, it is hereby provided that the expression "Valuation Officer (IT)" used in the order dated 16.10.2023 shall be replaced by "Valuation Officer (CPWD)".

Having issued the above clarification, it is provided that the work of valuation be carried out and completed as expeditiously as possible, preferably within a period of 30 days from the date of receipt of a copy of this order.

The order dated 16.10.2023 stands reviewed accordingly. However, the remaining part of the order dated 16.10.2024 including the protection granted

to the writ petitioner shall remain unaltered.

Review Petition stands disposed of.

JUDGE

Comparing Assistant